



## UNITED STATES PATENT AND TRADEMARK OFFICE

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Paper No.

## Notice of Non-Compliant Amendment (37 CFR 1.121)

The amendment document filed on 4-22-04 is considered non-compliant because it has failed to meet the requirements of 37 CFR 1.121, as amended on June 30, 2003 (see 68 Fed. Reg. 38611, Jun. 30, 2003). In order for the amendment document to be compliant, correction of the following item(s) is required. Only the corrected section of the non-compliant amendment document must be resubmitted (in its entirety), e.g., the entire "Amendments to the claims" section of applicant's amendment document must be re-submitted. 37 CFR 1.121(h).

## THE FOLLOWING CHECKED (X) ITEM(S) CAUSE THE AMENDMENT DOCUMENT TO BE NON-COMPLIANT:

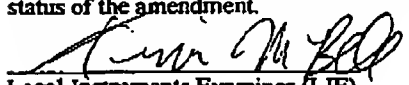
- ☒ 1. Amendments to the specification:
- ☒ A. Amended paragraph(s) do not include markings.
  - ☐ B. New paragraph(s) should not be underlined.
  - ☒ C. Other please make your changes to the specification in paragraph form,
- ☐ 2. Abstract:
- ☐ A. Not presented on a separate sheet. 37 CFR 1.72.
  - ☐ B. Other \_\_\_\_\_
- ☐ 3. Amendments to the drawings: \_\_\_\_\_
- ☐ 4. Amendments to the claims:
- ☐ A. A complete listing of all of the claims is not present.
  - ☐ B. The listing of claims does not include the text of all claims (including withdrawn claims)
  - ☐ C. Each claim has not been provided with the proper status identifier, and as such, the individual status of each claim cannot be identified.
  - ☐ D. The claims of this amendment paper have not been presented in ascending numerical order.
  - ☐ E. Other: \_\_\_\_\_

For further explanation of the amendment format required by 37 CFR 1.121, see MPEP Sec. 714 and the USPTO website at <http://www.uspto.gov/web/offices/pac/dapp/opla/preopnotice/officetlver.pdf>.

If the non-compliant amendment is a **PRELIMINARY AMENDMENT**, applicant is given ONE MONTH from the mail date of this letter to supply the corrected section which complies with 37 CFR 1.121. Failure to comply with 37 CFR 1.121 will result in non-entry of the preliminary amendment and examination on the merits will commence without consideration of the proposed changes in the preliminary amendment(s). This notice is not an action under 35 U.S.C. 132, and this ONE MONTH time limit is not extendable.

If the non-compliant amendment is a reply to a **NON-FINAL OFFICE ACTION** (including a submission for an RCE), and since the amendment appears to be a *bona fide* attempt to be a reply (37 CFR 1.135(c)), applicant is given a TIME PERIOD of ONE MONTH from the mailing of this notice within which to re-submit the corrected section which complies with 37 CFR 1.121 in order to avoid abandonment. **EXTENSIONS OF THIS TIME PERIOD ARE AVAILABLE UNDER 37 CFR 1.136(a).**

If the amendment is a reply to a **FINAL REJECTION**, this form may be an attachment to an Advisory Action. The period for response to a final rejection continues to run from the date set in the final rejection, and is not affected by the non-compliant status of the amendment.

  
Legal Instruments Examiner (LIE)

571-22-553  
Telephone No.

Rev. 10/03

## Confirmation Report - Memory Send

Date & Time: Jul-02-2004 05:22pm  
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 End time : Jul-02 05:22pm  
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 103 Eisenhower Parkway  
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## FAX TRANSMITTAL

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Date	Total Pages
July 2, 2004	6

To	Company	Fax Number	Telephone
Commissioner for Patents	U.S. Patent and Trademark Office	703-872-9310	

From	Fax number	Telephone
Patrice A. King, Esq. (Reg. No. 44,833)	(973) 992-4643	(973) 992-1990

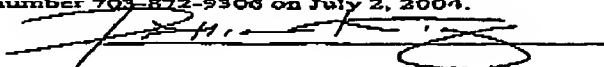
Application No.:	09/998,518
Filing Date:	November 29, 2001
First Named Inventor:	Paul Rabinowitz
Attorney Docket No.:	102360-230-NP
Confirmation No.:	5383
Examiner:	BARAN, MARY C.
Art Unit:	2857

Submitted herewith are the following items for filing in the above-identified case:

1. This Fax Transmittal
2. Response To Notice of Non-Compliant Amendment (Voluntary Revised Practice)
3. Copy of Notice of Non-Compliant Amendment

## CERTIFICATE OF TRANSMISSION

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Tel: 973-2384 05:21pm Fax: GOODWIN PROCTER		9739924643		T-270 P.009/009 F-272	
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Patrice A. King, Esq. (No. No. 44,873)		(973) 992-4643	(973) 992-1590		
Application No.:	06/998,518				
Filing Date:	November 29, 2001				
First Named Inventor:	Paul Rabinowitz				
Attorney Docket No.:	102160-230-NP				
Confirmation No.:	5583				
Examiner:	BAHAN, MARY C.				
Art Unit:	2857				
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Date	Total pages	Client/Matter
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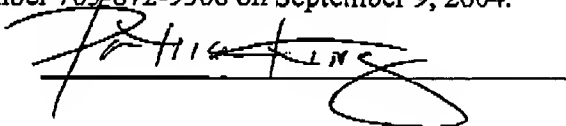
Application No.: 09/998,518  
Filing Date: November 29, 2001  
First Named Inventor: Paul Rabinowitz  
Attorney Docket No.: 102360-230-NP  
Confirmation No.: 5383  
Examiner: BARAN, MARY C.  
Art Unit: 2857

Pursuant to a Communication dated 8/11/2004, submitted herewith are the following items for filing in the above-identified case:

1. This Fax Transmittal
2. Executed copy of the Applicant's Response To Notice of Non-Compliant Amendment (Voluntary Revised Practice), originally filed on July 2, 2004, including Auto-Reply Facsimile Transmission.

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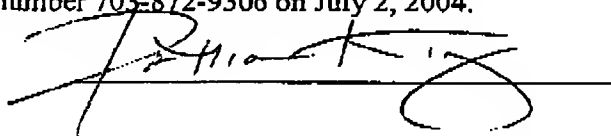
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